

REMARKS

In the above referenced Office Action, claims 1, 5-6, 12, 14, 18-19, 25, 27, 28, 29-30, 32, 34, and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,214,470 to ('Denber') in view of Read (U.S. Patent No. 6,035,072); rejected claims 2-4, 10-11, 15-17, 23-24, 28, 31, and 36 under 35 U.S.C. § 103(a) as being unpatentable over Denber in view of Pearls et al. (U.S. Patent No. 5,694,228); rejected claims 9, 22, and 37 under 35 U.S.C. § 103(a) as being unpatentable over Denber in view of Miura et al. (U.S. Patent Pub. No. 2003/0002580); claims 11, 24, and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Denber and Pearls et al. further in view of Miura et al.; claims 13 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Denber in view of Xu et al. (U.S. Patent No. 5,761,336); and claim 36 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Denber in view of Sampath et al. (U.S. Patent No. 6,665,425).

Applicant has amended claims 1 and 35 to further define the claimed invention. Claims 1-6, 9-19, and 22-38 are pending.

Rejection of claims 1, 5-6, 12, 14, 18-19, 25, 27, 28, 29-30, 32, 34, and 35 under 35 U.S.C. § 103(a)

In the above referenced Office Action, claims 1, 5-6, 12, 14, 18-19, 25, 27, 28, 29-30, 32, 34, and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Denber in view of Read.

Amended independent claim 1 is directed to a method for automatically detecting defects in an image scanning device that requires, *inter alia*, the section of the image scanning area tagged as having a defect being outside the determined border of the target image region, the image scanning area being the entire scanning area of the image scanning device. The Office Action states that Denber does not teach the section of the image scanning area tagged as having a defect being outside the determined border of the target image region. However Read is relied upon as teaching this concept. Applicants respectfully submit that Denber and Read, alone or in combination, fail to suggest or teach the claimed limitation for the following reasons.

Read discloses a defect detection method for detecting defects on the scanner glass corresponding to the image scanning area of the scanner. Documents are placed on the scanner glass for scanning, and when small dirt specks are present on the documents, the corresponding images obtained depict the defects of both the scanner glass underlying the document to be scanned and the dirt specks present on the documents itself. Non text regions in the image comprising the images of the dirt specks and the scanner glass defects are treated as active segments, from which deviant region maps are produced for further detection of the defect. However, Read fails to teach or suggest the mapping or detection of defects present outside the border of the target image. See Fig. 4, Col. 13, lines 9-36.

Further, in the present invention, the image scanning area is the entire scanning surface area of the scanning device and the target image region refers to only the area of the scanning surface on which the document is placed. Claim 1 has been amended to more particularly point out this element of the claimed invention. Further, tagged defects outside the border of the target image region referring to defects on the image scanning area outside the area on which the document is placed are ignored. Even though Read discloses detection of defects in the non text regions in the document, Read fails to disclose or suggest the detection of defects in those areas lying outside the border of the image region corresponding to the target image region. Rather, as noted above, Read discloses detection and further processing of defects only in those areas that are within the target image region such that they do not appear in final images.

Thus, Applicants respectfully submit that there is no teaching or suggestion in either of the references for detecting defect outside the determined border of the target image region as required in the claimed invention. Thus, claim 1 is allowable over Denber in view of Read, as the references alone or in combination, do not disclose or suggest the above mentioned claimed limitation.

Dependent claims 5, 6, and 12, depending from independent claim 1, are also allowable at least for the same reasons stated above.

Independent claim 14 is directed to system for implementing the method of claim 1 and is therefore allowable for at least the same reasons.

Response
Bailey
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Dependent claims 18-19, 25, 27-30, 32, and 34, depending directly or indirectly, from independent claim 14, are also allowable at least for the same reasons.

Further, independent claim 35, having similar limitations as claim 1, is therefore also allowable at least for the same reasons.

Dependent claims 36-38, depending from independent claim 35, are also allowable at least for the same reasons.

Applicant respectfully submits that in light of the foregoing remarks this application is in condition for allowance and early passage of this case to issue is requested. The Examiner is invited to telephone the undersigned in the event the Examiner would like to discuss the merits of the application or this Response.

If there are any other fees not accounted for above, the assignee of present application, Lexmark International, Inc., hereby authorizes the Commissioner to charge any such fees, including any extension of time fees, to the account of Lexmark International, Inc., Deposit Account No. 12-1213.

Respectfully submitted,

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